

#### **Board Members**

Miki Paul, Ph.D.  
Chairperson  
Gary D. Lovejoy, Ph.D.  
Vice-Chairperson  
Maryann Santos de Barona, Ph.D.  
Secretary  
Melissa Del-Colle  
Joseph C. Donaldson  
Megan Hunter-Williams  
Cheryl L. Karp, Ph.D.  
Ramona N. Mellott, Ph.D.  
Fred Wiggins, Ph.D.



## **State of Arizona Board of Psychologist Examiners**

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#### **Staff**

Maxine McCarthy  
Executive Director  
Meghan B. Hinckley  
Deputy Director  
Vicki E. Fox  
Investigator  
Shari S. Courtney  
Administrative  
Assistant

## **REGULAR SESSION MINUTES**

**Friday, October 5, 2007**

1400 West Washington  
Basement Conference Room, #B-1  
Phoenix, AZ 85007

### **1. CALL TO ORDER**

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Chairperson Paul at 8:30 a.m. on Friday, October 5, 2007. No Executive Sessions were held.

### **2. ROLL CALL**

#### **Board Members Present**

Miki Paul, Ph.D. - Chairperson  
Gary D. Lovejoy, Ph.D. - Vice-Chairperson  
Maryann Santos de Barona, Ph.D. - Secretary  
Melissa Del-Colle  
Cheryl L. Karp, Ph.D.  
Ramona N. Mellott, Ph.D.  
Joseph Donaldson

#### **Board Members Absent**

Megan Hunter-Williams  
Fred Wiggins, Ph.D.

#### **Staff Present**

Maxine McCarthy, Executive Director  
Meghan B. Hinckley, Deputy Director  
Vicki Fox, Investigator  
Shari Courtney, Administrative Assistant

#### **Attorney General's Office**

Keely Verstegen, Esq.  
Assistant Attorney General

### **3. REMARKS/ANNOUNCEMENTS**

- **Maxine McCarthy Gratitude Day** – Chairperson, Miki Paul, announced that this Board meeting was the last one for Executive Director, Maxine McCarthy and declared that it was "Maxine McCarthy Gratitude Day." Dr. Paul presented to Ms. McCarthy a plaque expressing appreciation to Ms. McCarthy for 15 years of service to the Board and a scroll describing Ms. McCarthy's personality traits. Mr. Nathan Gomez, of Governor Napolitano's office, presented Ms. McCarthy a certificate expressing appreciation for Ms. McCarthy's 30 years of service with Arizona State Government. Members of the Board's current and former staff also presented words of appreciation for the years spent working with Ms. McCarthy. The presentations concluded with Ms. McCarthy stating that she was very grateful for the kind words and sad to be leaving a dedicated staff, a wonderful group of current and past Board members, and one of the best Boards in all of Arizona State Government.
- **Announcement of Board's New Executive Director** - Chairperson Paul introduced Ms. Sonja Bolf, the new Executive Director for the Board. Dr. Paul welcomed her aboard and wished her luck in the new position.

- **Board Member and Staff Appreciation** - Chairperson Paul expressed her appreciation to Board staff and Board members for all their hard work and dedication. Dr. Paul thanked both Board members and staff for their hard work on the Complaint Screening Committee and the Applications Review Committee.
- **Status of Ad Hoc Supervision Study Committee** - Chairperson Paul gave an update regarding the Supervision Study Committee and noted that it had finalized its recommendations for possible statute and rule changes regarding supervision of individuals wishing to become licensed in Arizona. Dr. Paul thanked the members of the SSC on their diligent work regarding the supervision issues. The preliminary report will be mailed to Board members within the next several weeks for review and discussion at the December 7, 2007 Board meeting.
- **CE Documentation** - Chairperson Paul announced that licensees could receive CE credits in Ethics for their attendance at Board meetings. Dr. Paul explained that in order to obtain credit one must register on the CE roster, complete the 3 page CE record form, have the first page signed and stamped with the new validation stamp, keep the first page, and submit the remaining pages to Ms. Fox or Ms. Hinckley. It was noted that Ms. Fox and Ms. Hinckley are the only two staff that can stamp the CE validation form. Licensees are eligible to receive 2 credits for attending the morning session, and 4 credits for all day attendance.
- **Board Assessment Forms** - Chairperson Paul announced to members of the public audience that the Board appreciates feedback regarding their meetings and that they read every evaluation. Dr. Paul encouraged members of the audience to complete a Board Meeting Assessment Survey and place them in the box outside the Board room.

#### 4. APPROVAL OF MINUTES

- **Regular Session – August 3, 2007** – A correction was noted on page 1, #3, line #1, to delete the word “Board” after the words “Chairperson Paul.” A motion was made by Dr. Karp, seconded by Ms. Mellott, and carried (5-0), with Dr. Santos De Barona abstaining from the vote, to approve the August 3, 2007 Regular Session minutes as corrected.
- **Regular Session– September 7, 2007** – Ms. Del-Colle made a motion, which was seconded by Dr. Lovejoy, and carried (5-1-0), with Mr. Donaldson abstaining from the vote, to approve the September 7, 2007 Regular Session minutes.
- **Executive Session– September 7, 2007** – Dr. Lovejoy made a motion, which was seconded by Ms. Del-Colle, and carried (5-1-0), with Mr. Donaldson abstaining from the vote, to approve the September 7, 2007 Executive Session minutes.

#### 5. CALL TO THE PUBLIC

Chairperson Paul gave the public the opportunity to address the Board at this time. Dr. Faren Akins, the Arizona Psychological Association’s (AzPA) liaison to the Board, discussed that on October 12-13, 2007, AzPA would be holding their annual meeting at the Carefree Resort in Cave Creek, Arizona. Dr. Akins expressed gratitude on behalf of AzPA to Ms. McCarthy for her long and distinguished years of service with the Board. He also noted that on October 17, 2007, AzPA would be holding a stakeholders meeting with Representative Lujan to discuss the language of the proposed legislation. On October 20, 2007, AzPA will be holding an Endorsement Committee meeting interviewing potential candidates that would like to be endorsed by AzPA and recommended to the Governor for service on the Board to replace Dr. Santos de Barona.

#### 6. CASE DISCUSSION/DECISION

##### a) June Stapleton, Ph.D. – Case No. 07-28

Ms. Fox, Board Investigator, summarized the allegations in this case regarding issues that Dr. Stapleton failed to respond to the complaints in a timely manner. Ms. Fox noted that because there were similar issues, in this case and in Case No. 07-29 regarding Dr. Stapleton, the cases would be discussed together and the motions made would encompass both cases. Dr. Stapleton was present but did not address the Board. The Board discussed the case and a motion was

made by Dr. Lovejoy, seconded by Dr. Karp, to issue a non-disciplinary Letter of Concern to Dr. Stapleton stating that it is the Board's concern that she respond in a timely manner to all communications from the Board. The motion passed (5-0-2) with Dr. Paul and Ms. Del-Colle voting no.

**b) June Stapleton, Ph.D. – Case No. 07-29**

Ms. Fox, Board Investigator, summarized the allegations in this case regarding issues that Dr. Stapleton failed to respond to the Board in a timely manner. Ms. Fox noted that because there were similar issues, in this case and in Case No. 07-29 regarding Dr. Stapleton, the cases would be discussed together and the motions made would encompass both cases. Dr. Stapleton was present but did not address the Board. The Board discussed the case and a motion was made by Dr. Lovejoy, seconded by Dr. Karp, to issue a non-disciplinary Letter of Concern to Dr. Stapleton stating that it is the Board's concern that she respond in a timely manner to all communications from the Board. The motion passed (5-0-2) with Dr. Paul and Ms. Del-Colle voting no.

**c) Lisa Watt, Ph.D. – Case No. 07-33**

Dr. Paul summarized the allegations of this case. Mr. Farren, representing Dr. Watt, was present and spoke on behalf of Dr. Watt. The Board discussed the case and a motion was made by Dr. Lovejoy, seconded by Dr. Mellott, to offer Dr. Watt a non-disciplinary Letter of Concern stating that it is the Board's concern that Dr. Watt complies with the requirement that she notify the Board of her change of address within the 30 days as required by state statute. The motion carried (4-1-2) with Dr. Paul and Ms. Del-Colle voting no, and Mr. Donaldson absent.

**d) Arnold Thaw, Ph.D. – Case No. 07-36**

Ms. Fox, Board Investigator, summarized the allegations in this case regarding issues that Dr. Thaw unlawfully double billed a client. The Board discussed the case and a motion was made by Dr. Mellott, seconded by Dr. Lovejoy, to invite Dr. Thaw for an informal hearing to discuss A.R.S. 32-2061(A)(13)(bb) for failure to submit records to the Board in a timely manner, as well as possible violation of A.R.S. 32-2061(A)(13)(o) his failure to provide adequate informed consent and financial agreement information. The motion carried unanimously (6-0) with Mr. Donaldson absent.

**e) Julio Ramirez, Ph.D. – Case No. 07-39**

Ms. Fox, Board Investigator, summarized the allegations in this case regarding issues that Dr. Ramirez failed to respond to the Board's request for proof of CE in a timely manner. Board members proceeded to discuss this case. The Board discussed the case and Dr. Santos de Barona made a motion, seconded by Dr. Karp, to issue a non-disciplinary Letter of Concern stating that it is the Board's concern that Dr. Ramirez respond to in a timely manner to all communications from the Board. The motion carried unanimously (4-1-2) with Dr. Paul and Ms. Del-Colle voting no, and Mr. Donaldson absent.

**7. DISCUSSION REGARDING FEES CHARGED BY THE BOARD PURSUANT TO A.R.S 32-2067 – Ms. McCarthy**

Ms. McCarthy stated that each year, the Board's October meeting is considered to be its "Annual Meeting" which is the meeting when the Board must determine whether to adjust its fee schedule. She explained that when preparing the budget request in August, she had examined the Board's proposed expenses and projected revenues from the current year through FY 2009. Ms. McCarthy stated that if the Board continued to spend conservatively and keep its current staffing levels, it should be able to remain solvent without increasing fees. She therefore recommended that the Board keep the current fee structure in place. Ms. McCarthy concluded by noting that the Board has not raised its fees since 2000.

A motion was made by Dr. Mellott, seconded by Dr. Santos de Barona, and unanimously carried to keep the current fee structure in place.

**8. PRESENTATION/DISCUSSION REGARDING FUTURE LEGISLATION CONCERNING JUDICIALLY APPOINTED LICENSEES – Stuart Goodman of Goodman Schwartz Public Affairs**

The Board's contracted lobbyist, Stuart Goodman, presented a report to the Board regarding legislation concerning judicially appointed licensees. Mr. Goodman provided the Board members with general guidelines regarding legislative principles and draft legislative language which prompted some questions and discussion by Board members. It was the general consensus of the Board that Mr. Goodman and Ms. McCarthy would discuss the Board's comments and concerns in a meeting with Representative Lujan at a stakeholders' meeting held to be held on October 17, 2007. Mr. Goodman concluded by stating that any draft language generated from the October 17<sup>th</sup> meeting would be brought back to the full Board for their final approval.

**9. DISCUSSION/DECISION REGARDING BOARD'S POSITION ON ASPPB'S PROPOSED INTER-JURISDICTIONAL PRACTICE CREDENTIAL (IPC) – Dr. Paul**

Chairperson Paul reported that the ASPPB has proposed the Inter-Jurisdictional Practice Credential (IPC) which is a mechanism for psychologists to easily practice temporarily within other jurisdictions. The concept is one of registration versus licensure and will allow psychologists to practice in other jurisdictions for up to 30 days. Psychologists holding an IPC would be required to notify the jurisdiction in which they plan to practice of their intent and their registration status. Complaints against psychologists who are practicing under the IPC would be adjudicated within the jurisdictions where the psychologist provided services. ASPPB is recommending an IPC cost of \$200.00 and is targeting groups such as forensic psychologists, industrial organizational psychologists, and consultants, as well as use of the IPC in times of crisis. Chairperson Paul noted that, currently, Arizona is an exempt state in that we allow psychologists to temporarily work within Arizona for 20 days without having Arizona licensure.

After Board discussion, Dr. Lovejoy recommended that Board staff to draft language to include a Disaster Relief clause wherein, in times of major crisis or disaster, the licensee could apply for an extension from the Board to extend the IPC timeframe. Dr. Lovejoy also felt that the some of the requirements to apply for an IPC were too restrictive which could prevent highly competent psychologists from being able to obtain an IPC.

Dr. Lovejoy instructed Board staff to include the IPC language in the list for statute changes for the following year.

**10. EXECUTIVE DIRECTOR'S REPORT**

- **Financial** – Ms. McCarthy reported that she had submitted the Board's budget request and strategic plan for Fiscal Year 2009 to the Governor's Office on September 1<sup>st</sup>. She stated that she had built in requests for increases in the areas of rent and in-state and out-of-state travel for Board members. As to the current budget, Ms. McCarthy reported that at the end of August, which was two months into the fiscal year, the Board had expended 22% of its total appropriation of \$389,800 which meant that the Board was on track with expenditures. Ms. McCarthy concluded by stating that because she was retiring from the Board, this would be her last financial report and that she would be turning over to the new Executive Director a sound budget plan for the remainder of the current fiscal year and a healthy fund balance in the Board's reserve fund of approximately \$665,000.
- **Legislative Update** – HB 2115 – Ms. McCarthy reported that HB 2115 was signed by the Governor on April 16, 2007, and became effective September 19, 2007. HB 2115 allows this Board and other health care Boards to issue a non-disciplinary order requiring the licensee to complete a prescribed number of hours of continuing education to provide the licensee with the necessary understanding of current developments, skills, procedures or treatment. This bill applies to all health care boards.

## 11. LICENSING REPORT – Ms. Hinckley

- **New Licenses Issued** – Ms. Hinckley reported that the Board had licensed the 19 psychologists since the August 3, 2007 meeting:

3899 Kris Kratz, Ph.D.  
3900 Mary Bushnell, Psy.D.  
3901 Gary Reyes, Ph.D.  
3902 Fernanda Martinez, Ph.D.  
3903 Marilyn Cabay, Ph.D.  
3904 Stacy Koutrakos, Psy.D.  
3905 Katrina Buwalda, Psy.D.  
3906 Holly Asher, Ph.D.  
3907 Joy Goldberg, Ph.D.  
3908 Maryann Latus, Ph.D.  
3909 Lisa Elder, Psy.D.  
3910 Justin Smith, Psy.D.  
3911 James Sanchez, Ph.D.  
3912 Daniel Chatel, Ph.D.  
3913 Joseph Gentry, Ph.D.  
3914 Julie Weston, Ph.D.  
3915 Ruchi Bhargava, Ph.D.

Ms. Hinckley reported that the Board has licensed 65 psychologists this year, which compared to 65 licenses issued by this time last year.

- **EPPP RESULTS** – Ms. Hinckley reported that the following 15 applicants had passed the Examination for Professional Practice in Psychology between August and October, with six failing:

### **PASS**

Holly Asher, Ph.D.  
David Biel-Adaskin, Psy.D.  
Alan Baehr, Ph.D.  
Scott Belanger, Psy.D.  
Cathy Bissett, Psy.D.  
Alysha Bundy, Ph.D.  
Mary Lu Bushnell, Psy.D.  
Katrina Buwalda, Psy.D.  
Marilynn Cabay, Ph.D.  
Lisa Elder, Psy.D.  
Joy Goldberg, Ph.D.  
Robin Johnson, Psy.D.  
Stacy Koutrakos, Psy.D.  
James Sanchez, Ph.D.  
Fred Vanhooose, Ph.D.

### **FAIL**

Andrew Gardner, Ph.D.  
Ismael Gonzalez, Psy.D.  
Nicole Huggins, Psy.D.  
Christine Johnston, Psy.D.  
Natalie Schoenbauer, Psy.D.  
Pilar Vargas-Brya, Psy.D.

- **New Applications** – Ms. Hinckley reported that the Board has received 21 new applications since August 3, 2007, which makes a total of 96 applications received for the calendar year, as compared to 85 received by this time last year.

## 12. INVESTIGATIONS REPORT

- **New Cases Received** – Ms. Fox reported that since the August 3, 2007 Board meeting, the Board has received 7 new complaints, which totals 45 complaints received for the 2007 calendar year.
- **Cases Resolved** – Ms. Fox reported that, for the calendar year, 31 cases have been resolved, 7 cases have been referred to the full board, and 7 cases are currently under investigation.

Ms. Fox reported that at the August 3, 2007 meeting, the Board offered a Consent Agreement to Dr. Robert Block who declined to accept. An Informal Interview for this matter has been scheduled for the December 2007 Board meeting.

## 13. COUNSEL REPORT – Ms. Verstegen

**Daniel Christiano, Ph.D. – Notice of Stay** – Ms Verstegen reported that the Board was served with a minute entry order wherein the judge had issued a stay ordering the Board to cease its investigation regarding this matter. The order stated that the psychologist had “judicial immunity” and that the Board needed to request a hearing regarding this matter within 14 days. On August 1, 2007, Board Council filed a request for hearing and on September 6, 2007, the Board re-filed a request for hearing. On September 12, 2007, the Court issued an order vacating the initial judge’s ruling.

**Discussion/Decision regarding HB 2249** – Ms. Verstegen reported that HB 2249 states that licensees who are 6 months in arrears in their child support payments, DES may send notice to the licensee regarding the payments. The licensee has the opportunity to dispute, and then the case will go to the Office of Administrative Hearings. If the OAH Judge agrees with DES findings, OAH and DES will issue an Order and send it over to the licensing Board informing the agency that the licensee’s license has been suspended.

After Board discussion, Dr. Lovejoy asked if the Board is required to report these types of infractions to ASPPB and to the National Databank when the license is suspended because if so, the licensee could lose their certification indefinitely. Dr. Lovejoy noted that even if the licensee was reinstated, the certification, once gone, cannot be reinstated. Dr. Lovejoy instructed Board staff to contact ASPPB and the National Databank and inquire about procedures regarding reporting suspensions and HB 2249.

Dr. Lovejoy made a motion, seconded by Dr. Karp, that the Executive Director of the Psychology Board have the authority to implement the requirements of HB 2249 and upon consultation with the Board’s Attorney, send a letter to the licensees suspending licenses as required by the bill. The motion carried (5-0-1) with Dr. Mellott abstaining.

## 14. CONTINUING EDUCATION COMMITTEE – Dr. Paul

Chairperson Paul reported that the Board conducted an audit of 56 or 4% of its active licensees regarding proof of continuing education requirements. The Continuing Education Committee’s review of the CE submissions found 41 licensees to be in compliance and 13 licensees to be deficient. One licensee had been granted a waiver due to a fire in her home wherein all proof of CE was destroyed. Another licensee was granted an extension until October 26, 2007 to submit proof of CE. Letters were sent out to the 13 deficient licensees giving them until November 6, 2007 to cure their deficiencies. To date, 10 of the 13 deficiencies have been corrected. Chairperson Paul recommended that all licensees review the CE requirement rules at least once yearly.

Chairperson Paul expressed interest in creating and administering a state jurisprudence exam regarding our statutes and rules. Chairperson Paul noted that this would be an appropriate measure to ensure that applicants and licensees are familiar with Arizona rules and statutes. Another idea expressed by Chairperson Paul was to include a box on the renewal form wherein licensees would either affirm or deny “I have read the latest version of the Board statute and rules.” Ms. McCarthy informed Board members that any changes to the renewal form or implementation of jurisprudence exam would require statute and rules changes. Board discussion ensued wherein the Board voted to schedule the matter as a future agenda item.

## 15. DISCUSSION/DECISION REGARDING REGARDING REHABILITATION ORDER

- **Katrina Buwalda, Psy.D. – No. APP-04-41** - Ms. McCarthy stated that this matter was on the agenda as Dr. Buwalda had notified the Board that complying with her Rehabilitation Order was going to be difficult. Dr. Buwalda explained that she works in a correctional facility where she cannot leave when conducting testing and that she does not have access to a telephone. According to Dr. Buwalda, these circumstances would make it nearly impossible for her to submit to Board ordered specimen collection within a two hour time frame.

After discussion, a motion was made by Dr. Karp, and seconded by Dr. Santos de Barona, and unanimously carried (6-0), to offer Dr. Buwalda an Amended Consent Agreement and Rehabilitation Order which would expand the two-hour window to eight hours and further, that Board staff would not call Dr. Buwalda for specimen collections until after 12:00 noon during weekdays.

## 16. DISCUSSION/DECISION REGARDING APPLICATIONS

### ➤ **REQUESTING EXAMINATION**

Dr. Santos de Barona made a motion, seconded by Dr. Mellott, and unanimously carried (5-0), that the following licensees, having obtained a doctoral degree in psychology as required under A.R.S. § 32-2071, be approved to sit for the Examination for Professional Practice in Psychology (EPPP):

- **Gandhi, Shefali, Ph.D.**
- **Mansfeild-Blair, Karen Ph.D.**

### ➤ **REQUESTING EXAMINATION & LICENSURE**

Dr. Santos de Barona next made a motion, seconded by Dr. Mellott, and unanimously carried (5-0), that following applicants, having met the requirements of A.R.S. § 32-2071 and A.A.C. R4-26-203, be approved to sit for the EPPP and for licensure upon receipt of a passing score on the examination, and payment of the pro-rated original license fee:

- **Hernandez, Camille, Psy.D.**
- **Ornelas, Eddie, Ph.D.**
- **Simmons, Shakira, Psy.D.**
- **Shewmaker, Shona, Ph.D.**

### ➤ **REQUESTS FOR LICENSURE BY WAIVER OF EXAM**

A motion was then made by Dr. Santos de Barona, seconded by Dr. Mellott, and unanimously carried (5-0), that the following licensees having met the requirements of A.R.S. § 32-2071.01(A), be approved for licensure upon payment of the pro-rated original license fee:

- **Beckstead, David, Ph.D.**
- **Goodall, Janie, Psy.D.**
- **Linder, Kimberly, Ph.D.**
- **Ratzburg, Shanna, Ph.D.**

➤ **REQUESTING LICENSURE FOLLOWING COMPLETION OF POST-DOC**

A motion was then made by Dr. Santos de Barona, seconded by Dr. Mellott, and unanimously carried (5-0), that **Judy Hogan, Ph.D.**, having met the requirements of A.R.S. § 32-2071.01(A), having passed the EPPP with a score of 70% or better and completed her post-doctoral hours, be approved for licensure upon payment of the pro-rated original license fee.

➤ **RATIFICATION OF LICENSURE BY CREDENTIAL**

Dr. Santos de Barona then made a motion, seconded by Dr. Mellott, and unanimously carried (5-0), to ratify the issuance of licensure by credential to **David Portner, Ph.D.**, who had met the requirements of A.R.S. § 32-2071.01(B).

Finally, Dr. Santos de Barona announced that the following applications remained ongoing:

- **Didrickson, Anita, Ph.D.**
- **Dinehart, Jared, Ph.D.**
- **Fleming, Patricia, Ph.D.**
- **Fulks, Thomas, Psy.D.**
- **Goldman, Scott, Ph.D.**
- **Grando, Roy, Ph.D.**
- **Heinz, Tracy, Psy.D.**
- **Lipson, Mindy Beth, Psy.D.**
- **Mobley, William, Ph.D.**
- **Nademin, Mahsaw, Ph.D.**
- **Palmquist, Mary, Ph.D.**
- **Tenrriero, Ruth, Psy.D.**

**17. DISCUSSION/DISCUSSION – RATIFICATION OF REACTIVATION OF LICENSES**

- **S. David Hoffman, Ph.D., #858** – Ms. Hinckley presented this agenda item. Dr. Hoffman submitted a request to the Board to reactivate his license. Upon review of the materials documentation submitted, it appears that Dr. Hoffman had completed all CE required to reactivate his license. Dr. Lovejoy made the motion, seconded by Dr. Karp, to ratify reactivation Dr. Hoffman's license. The motion carried unanimously.
- **David Lutkemeier, Ed.D. #1157** – Ms. Hinckley presented this agenda item. Dr. Lutkemeier submitted a request to the Board to reactivate his license. Upon review of the materials documentation submitted, it appears that Dr. Lutkemeier had completed all CE required to reactivate his license. Dr. Lovejoy made the motion, seconded by Dr. Karp, to ratify reactivation Dr. Lutkemeier's license. The motion carried unanimously.

**18. NEW BUSINESS OR FUTURE AGENDA ITEMS**

There were no new items brought forward regarding new business or future agenda items.

**19. ADJOURNMENT**

There being no further business to come before the Board, a motion was made by Dr. Karp, seconded by Dr. Mellott, and unanimously carried (6-0), to adjourn the meeting at 3:00 p.m.

Prepared by:  
**Meghan B. Hinckley**  
Deputy Director

Respectfully submitted,  
**/s/Maryann Santos de Barona, Ph.D.**  
Secretary